

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1556 of 2007()

CRA.491/2004 of ADDL. SESSIONS COURT (FAST TRACK-II ADHOC), THRISSUR
ST.2927/2001 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR
.....

REVN. PETITIONER: APPELLANT/ACCUSED

G.UNNIKRISHNAN
S/O.GOVINDAN ACHARY
THOTTUVATHALA BHAVAN
AMBALAPUZHA
ALAPUZHA DT.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:RESPONDENT/COMPLAINANT & STATE

1. SAJEEVAN
S/O.NARAYANAN
KAITHAVALAPPIL HOUSE
KAIPAMANGALAM
KODUNGALLUR TALUK, THRISSUR.
2. STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU
BY SRI.M.C.ANTONY

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1556 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment till the rising of the court and to pay a compensation of Rs.50,000/- to the complainant and in default, to undergo simple imprisonment for two months.

2. The counsel for the revision petitioner has submitted that the cheque amount is only Rs.35,000/- and the trial court has only directed to pay a sum of Rs.40,000/- as compensation. It is pointed out that it is his contention that in fact he has not received any amount from the complainant. The counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a sum of Rs.40,000/- as compensation and in default, to undergo simple imprisonment for three months. Revision petitioner is granted six months' time

from today onwards to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court - Kodungallur on 10.10.2007 to receive the sentence. Non bailable warrant, pending, if any shall be kept in abeyance till 10.10.2007.

The criminal revision petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

csl